

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

THE STATE OF TEXAS,

Plaintiff,

v.

MIGUEL CARDONA, in his official capacity
as Secretary of Education, et al.,

Defendants.

No. 4:23-cv-604-O

DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION OF TIME

Defendants Miguel Cardona, in his official capacity as Secretary of Education, the United States Department of Education, Merrick B. Garland, in his official capacity as Attorney General of the United States, and the United States Department of Justice hereby respectfully move to extend the amount of time provided by the Court's Scheduling Order, ECF No. 21, for the parties' reply briefs by ten days each. Specifically, Defendants request that the Court extend the deadline for Plaintiffs' reply brief from January 12, 2024 to January 22, 2024, and extend the deadline for Defendants' reply brief from February 9, 2024 to February 29, 2024 (ten days to account for the extension for Plaintiffs' reply, and then ten additional days). The requested extension would not affect the deadline for Defendants' cross-dispositive motion, which is set for this Friday, December 1, 2023.

There is good cause for the requested extension because Defendants' counsel is scheduled to take parental leave in December and January, and the extension will avoid any conflict with the dates of that leave. The requested enlargement of time also will not prejudice

any party. Defendants' counsel corresponded with Plaintiff's counsel by email on November 29, 2023, who represented that Plaintiff does not oppose the requested extension.

Dated: November 30, 2023

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

CARLOTTA WELLS
Assistant Branch Director

/s/ John T. Lewis
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Attorneys for Defendants

CERTIFICATE OF CONFERENCE

I hereby certify that on November 29, 2023, I conferred by email with counsel for Plaintiff concerning the relief requested in this filing. Counsel for Plaintiff indicated that Plaintiff does not oppose this motion.

/s/ John T. Lewis
John T. Lewis

CERTIFICATE OF SERVICE

I hereby certify that on November 30, 2023, a copy of the foregoing was filed electronically via the Court's ECF system, which effects service upon counsel of record.

/s/ John T. Lewis
John T. Lewis